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Therefore, I would even now on behalf of the House make an earnest appeal to the Andhra Government to take up the thread where we have left it and see whether an agreement could not be arrived at. I have absolutely no doubt that if this is the sentiment which is really expressed by them, that sentiment should be worked out only by taking the thread from where we left it. Unless we take that attitude, we will never reach any agreement and this will be a running sore for many more years to come. That is not also good in the interests of the neighbourly feeling between the people of Andhra and Tamilnad. More than anything else, the people living in these border areas will be indefinitely kept in a state of suspense and suspicion also, if I may say so. Therefore, I would make another appeal through this House to the Andhra Government and tell them that that is the attitude which this House has taken and that is the attitude of the Government also. This is a separate problem and it should be solved according to the assurances already given and according to the steps which had already been taken. I want to make it clear before this House that that is the attitude of the Government in regard to this matter. 3-20 p.m.

VII.—NON-OFFICIAL BUSINESS.

A. Bills.

(1) THE MADRAS MARUMAKKATTAYAM (AMENDMENT) BILL, 1954 (L.A. BILL NO. 16 OF 1954).

* SRI M. NARAYANA KURUP : Mr. Speaker, Sir, I move—

"That the Madras Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), as amended by the Joint Select Committee, be taken into consideration."

Sir, this is a Bill that was referred to a Select Committee with the consent or approval of the Government also and in accordance with the unanimous wish of the representatives of the area affected by the Bill. It is a very simple Bill. It seeks to provide right of individual partition in place of thavazhi partition which is at present allowed by the Madras Marumakkattayam Act. Sir, the demand for such a measure was so universal that even the Hon. the Speaker, when he was a Member, introduced a similar Bill and of course it was not proceeded with further because this was already referred to a Select Committee. The Committee toured the area and gathered evidence in support of the measure. The report of the Joint Select Committee is unanimous and it has not made any fundamental changes in the original Bill except putting it in proper form and making some verbal alterations.

One of the chapters in the Marumakkattayam Act deals with impartible tarwards and in the course of our tour, we gathered that there was almost unanimous desire that that should be deleted and they, like any other tarwad, should be given the right to individual partition. There are some members of such impartible tarwads even in this House and they also strongly pleaded for it and in accordance with their desire the Select Committee has

deleted the chapter dealing with impartible tarwads. It may be taken as a consequence to the changes that have been proposed in the original Bill and it is quite in consonance with that.

Sir, subsequent to the Select Committee's report, there has been unanimous and universal demand that the Bill may be proceeded with and passed into law. In this connexion, I wish to dispel some misapprehension whether such a Bill is necessary in view of the Hindu Code Bill. Sir, the Select Committee itself dealt with this aspect of the question. The Hindu Code Bill deals only with one aspect of the Madras Marumakkattayam Act and that is the aspect of intestate succession. Now, this Bill does not deal with that and it does not go contrary to it. It was only after considering this point that the Select Committee proceeded further and ultimately made its unanimous report. Sir, I request that this simple, non-controversial Bill be taken into consideration and passed.

SRI V. R. KRISHNA AYYAR : Mr. Speaker, Sir, while seconding the Bill, I will just say a word or two.

The partition provisions under the Madras Marumakkattayam Act are that a tavazhi, that is, a woman and her children alone can claim partition. The Bill that is now being considered introduces the principle that every member can claim partition. For instance, in a joint Hindu family, every member can claim partition independent of any other member. In the Marumakkattayam Hindu families, on account of the old impartibility and the new idea of partition which was brought in as early as 1933 when this Act was passed, a kind of *via media* was struck. It was thought that the right of partition to every member need not be given and that it might be sufficient to retain the right to tavazhi only. Then, in Malabar, the idea of individual partition progressed and when the Mappilla Marumakkattayam Act came in 1939, in Muslim joint families, every individual member was given the right of partition. Sir, the pattern of property ownership is almost identical and in 1956, ideas have been revolutionized on property ownership and we have now what is called the Hindu Succession Act. According to this Act, on the death of every member, his heirs get their share in the property as if they had a claim to partition. So, in principle, there is absolutely nothing wrong in this Bill being accepted. As my friend, Sri Narayana Kurup, said the people and members of the public affected are all avidly waiting for the passage of this Bill. Everyone is asking round the corner " What has happened to the Bill for individual partition? " A day of delay would mean that it is an impediment to the fulfilment of the wishes of the people. Therefore, I suggest that the Bill be passed at the earliest possible moment.

MR. SPEAKER : Motion moved—

" That the Madras Marumakkattayam (Amendment) Bill, 1954) L.A. Bill No. 16 of 1954), as amended by the Joint Select Committee, be taken into consideration."

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THE HON. SRI C. SUBRAMANIAM : Sir, I may be permitted to make a statement on behalf of the Government at this stage. I am sorry we are unable to accept the motion moved by the hon. Member to take up the consideraion of this Bill at this stage. That is because of two reasons. The first thing is since the introduction of this Bill and the Joint Select Committee sitting over this Bill and making its report, the Hindu Succession Act, 1956, has come into force and it has changed the entire picture. I am sure hon. Members would be aware of section 7 of the Hindu Succession Act of 1956 which deals with properties to which the present Bill is sought to be made applicable. This is what is stated in section 7 (1) of the Act :

"When a Hindu to whom the Marumakkattayam or Nambudri law would have applied if this Act had not been passed dies after the commencement of this Act, having at the time of his or her death an interest in the property of a tarwad, tavazhi or illom, as the case may be, his or her interest in the property shall devolve by testamentary or intestate succession, as the case may be, under this Act and not according to the Marumakkattayam or Nambudri law."

Therefore, what happens is the present generation is not affected. But on the death of a karnavan of a tarwad, tavazhi or illom, that property is not governed by the Marumakkattayam law but it shall be governed by the provisions laid down in the Hindu Succession Act. Therefore, this difficulty of impartibility will not arise. Taking into account the peculiar nature of the Marumakkattayam law and the incidence relating to the tarwad, tavazhi and illom property, is it necessary to proceed with this Bill dealing with the partition of the estate even during the lifetime of the karnavan or the head of the family? That is the question. My respectful submission is it is not necessary to provide for this. It is only very recently that the Hindu Succession Act, 1956, was passed. To introduce further changes in the incidence of property as soon after the passing of that Act is not good. 3-40 p.m.

Secondly, there is the impending formation of the Kerala State. This problem will have to be considered by the Kerala Legislature. Therefore, for these two reasons, viz., that the Hindu Succession Act deals with succession to property belonging to tarwads and tavazhis and that the Kerala State is to come into existence shortly. I do not think we will be well-advised to proceed with this measure at this stage. I am sorry, I am unable to agree to it and it will have to be dropped, at this stage at any rate, and perhaps taken up later on, if the Hindu Succession Act does not fulfil its purpose. After all, if it is dropped, nothing is going to be lost. Of course, Mr. Krishna Ayyar, as a very clever lawyer, wanted to show that it was an urgent measure long-pending and that the people would be greatly disappointed if it was not passed. I may tell him that there cannot be any disapnointment among the people since sufficient steps have been taken already and

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the Parliament, looking at the all-India picture, has provided for succession to these properties as well. I do not think, we should pass this Bill now and in spite of the very clever advocacy of Mr. Krishna Ayyar, I stand unconvinced with regard to the necessity of this law at this stage. I am sorry the Government are unable to agree to the passage of this Bill.

* SRI M. NARAYANA KURUP: The point raised by the Hon. the Minister was considered by the Select Committee on 24th January 1956. I may be permitted to read the relevant portion of the proceedings of the Committee. It is this:

"At the outset, the Chairman enquired of Sri M. Naravana Kurup, sponsor of the Bill, whether it was necessary to proceed with the Bill in view of the fact that the Hindu Succession Bill was to come up before the Parliament. Sri M. Narayana Kurup stated that the latter Bill covered only certain aspects of Marumakkathayis and hence it was necessary to proceed with the Bill. Then the Bill was taken up for consideration."

With respect to the interpretation of section 7 of the Hindu Succession Act, to say that it stands in the way of this Bill, is an argument which cannot hold water. It refers to " . . . testamentary and intestate succession". The reference is specific. It has been stated on more than one occasion that the Marumakkathayam law is abrogated only to the specific extent mentioned in the Act. In the section relating to repeal, it is stated that only the Hindu Law of Inheritance (Amendment) Act, 1929, and the Rights of Hindu Women to Property Act have been repealed. Therefore, the Madras Marumakkathayam Act is not repealed. It is only abrogated to the extent covered by the Hindu Code Bill. The House is aware that the Madras Marumakkathayam law deals with a number of questions. It deals with right to partition, right to management, marriage, divorce, intestate partition, impartible tarwads, etc. Therefore, section 7 of the Hindu Succession Act is in no way a bar to the consideration of this Bill and I submit it may be taken up and passed.

SRI V. R. KRISHNA AYYAR: On a point of personal explanation, Sir. The Hon. the Minister for Finance was pleased to make certain remarks about my advocacy. He said that I was saying that this measure was impatiently awaited by the people and pointed out that there was no such calamity likely to happen, since the Hindu Succession Act had been recently passed. May I say that he might not have had the experience of the Malabar law in action? He might have read it and gathered ideas about it. May I explain the position? Let me take Mr. Narayanan Nambiar, with whom I could take some liberty. Under the law, as long as his mother is alive, he cannot claim a share in the property of his family. He cannot expect his mother to die soon in order that he may have his share in the property. While that is so, under the Hindu Succession Act, on the death of Mr. Narayanan Nambiar, his wife and children could get his property. The Bill brought in by Mr. Narayana Kurup only says: "Give me

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the share that falleth to me." That is the language of the Bible; that is the language of the Moplah Marumakkathayam law; that is the language of the Mitakshara law. So, the distinction is . . . "

MR. SPEAKER : I am not satisfied that this is personal explanation. The hon. Member is going into the merits of the case. I am going to put the motion to vote.

DR. K. B. MENON : Since this is a matter vitally affecting Malabar and since the Bill is opposed, I would request you to give us one or two minutes to express our opinion on the subject.

MR. SPEAKER : I thought I said that the matter was open for discussion. Nobody got up and I asked the hon. the Mover to reply.

DR. K. B. MENON : No time was given to other Members to speak.

MR. SPEAKER : Because nobody got up.

SRI C. H. KANARAN : We never expected that the Bill would be opposed. That is why we did not speak.

MR. SPEAKER : I would ask Dr. K. B. Menon to speak very briefly if he wants to say anything. I do not want to shut out discussion.

DR. K. B. MENON : As far as the merits of the case are concerned, I mean the points of law, two lawyers have spoken. I am only concerned with the second point raised by the Hon. the Minister that we are at the fag end of this session and that Malabar is going to be separated shortly from Madras. Obviously he does not want to take the responsibility for this. That is an argument I can very well understand. But I would assure him that there is absolute unanimity of opinion among the Members from Malabar in the matter. If the Hon. the Minister is not willing to accept this assurance, may I point out that even after all this discussion, there is not a single representative of Malabar who has opposed this Bill here?

If there is one I withdraw my request to the Hon. the Finance Minister. Therefore with the support and assurance of hon. Members from Malabar I request the Hon. Finance Minister to withdraw his objection. 3-50 p.m.

SRI T. C. NARAYANAN NAMBIAR : Mr. Speaker, Sir, I was actually surprised when the Hon. the Leader of the House opposed the consideration of the Bill. A perusal of the report of the Select Committee, the various memoranda and representations received from different shades of opinion including the Congress party will convince any one that the people of Malabar are unanimous with regard to the passage of this legislation. On a former occasion, I think it was when the Bill was introduced, the Hon. the Revenue Minister stated that the Government will see whether there was

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unanimity of opinion on the Bill and if there was that unanimity the Government would have no objection to the passage of the Bill. In view of the unanimity of opinion not only in the Select Committee, not only among the hon. Members in this House coming from Malabar, but also people outside where it is to be applied, I hope the Hon. Minister will give his consent to the passage of the Bill. On behalf of the Communist Party I endorse and support the Bill.

* SRI E. K. SANKARA VARMA RAJA : Mr. Speaker, Sir, it was a surprise to me also when I heard that the Hon. Minister was opposing the Bill. During the tour of the Members of the Joint Select Committee, all the Members of the Committee, all the witnesses examined including those from my 'Tavazhi' were for this Bill because each and everybody wanted to get his share. Those people who wanted partition must be given the opportunity to effect it and have their share of the property. When there is such unanimity for the passage of the Bill in the whole of Malabar, I do not know what has the partition to do with it. When even a Member like myself coming from a royal family is in favour of the Bill, I do not know why the Hon. Minister is not allowing this Bill to be passed in the Assembly.

THE HON. SRI C. SUBRAMANIAM : Sir, the Government have fully considered the position and we would not be well advised in proceeding with the Bill at this stage. I would appeal to the Members not to put the Government in an embarassing situation. It is not only a question of unity among the Members, but it is also a matter affecting the property rights of the people in Malabar. Very recently all matters have been taken into consideration and the Hindu Succession Act has been passed by Parliament. In the circumstances to make a further departure from the practice and the customs prevailing in Malabar will not be justified, particularly in view of the impending partition. Almost all matters have been covered by the Succession Act and the present Marumakkattayam Act and only residuary things are left over such as the individual's right to property even though they may not be willing to claim partition. If this measure is considered absolutely necessary, I would appeal to the hon. Members to wait and get the motion passed in the Kerala Assembly. I don't think they are doing the proper thing in asking the Government to pass a measure of this nature now. I would therefore request the hon. Member Sri Kurup and all the other hon. Members who gave their enthusiastic support to the Bill to wait a little more and take up the matter in the proper atmosphere and proper forum. That would be my appeal to the hon. Member Sri Sankara Varma Raja also. Particularly he made an earnest appeal which did appeal to me. In spite of all that I should not merely give way to emotion and the appeals made by hon. Members. I have to take cold facts into consideration and therefore it will not be proper for us to get through the measure with only a few months more for the partition of the State. This is my submission and I hope they would appreciate the view of the Government in this matter. It is not a question of blocking any progress of the people,

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which the hon. Members want to effect there. Appreciating the Government's point of view and the embarrassing position in which we will be put, I would request the hon. Member Sri Kurup to withdraw the Bill. I hope other hon. Members also would induce him to withdraw the Bill.

SRI P. RAMAMURTHI : I have heard the Hon. the Leader of the House patiently and very carefully. I really do not know what embarrassment there is for the Government in accepting this Bill After all, there is unanimity of opinion among all the elected Members from Malabar. There is no question of opposition as such from the elected Members of Malabar. (Interruption.) It is not a political question also. There is also no question of difference of opinion. The Hon. the Leader of the House also knows that once this opportunity is lost, it will take a considerable time for the people of Malabar to get this measure passed. After all immediately on the formation of the Kerala State there is not going to be an Assembly there. Another six months they will have to wait. When a non-controversial Bill is there and a Select Committee also had considered it even with reference to the Hindu Succession Act passed by Parliament . . .

THE HON. SRI C. SUBRAMANIAM : The picture was not quite clear.

SRI P. RAMAMURTHI : After all they have come to the conclusion that the Bill should be passed. Therefore I do not see any point of embarrassment. On the other hand I would request the Government to consider it from another aspect. Here are the Malabar people who are going to be separated from us. Let this be a parting gift (Applause from Opposition benches) to the people of Malabar from the Government of Madras. The Government should welcome this measure which is unanimously desired by the elected Members from Malabar and the entire people of Malabar. We can certainly honour that wish. There is nothing embarrassing in this. On the other hand the Government should be glad about it.

THE HON. SRI C. SUBRAMANIAM : I wish it were a gift to the people of Malabar but it has nothing to do with the entire people of Malabar. If only it is analysed it will be found that even now there is provision for partition in the 'Tavazhi' property provided all the members are agreed about it. As for succession after the death of the 'Karnavan' that is also provided for. We must understand to whom we are making the gift. It is only a few individuals that may take advantage of it within the next six months like the hon. Member Sri Narayanan Nambiar as was pointed out by the hon. Member Sri Krishna Ayyar. Then the partition will have to be worked out in the court of law. No partition could take place without going to a court. Therefore what I will be handing over to Malabar will be notices given by various members of families for partition and their going to the courts. I will be handing over a number of suits to the courts which they

will have to dispose of soon after the partition of the State. I do not think I can be a party to it. The more I think about it the more hesitant I am to accept the Bill. I am sorry I cannot give the concurrence of the Government to the Bill.

SRI V. R. KRISHNA AYYAR : On a point of personal explanation.

MR. SPEAKER : The hon. Member should resume his seat.

SRI T. C. NARAYANAN NAMBIAR : I think a misunderstanding has arisen. As a matter of fact individually I may lose and not gain by the passage of this Bill. It is only an example which the hon. Member quoted just as the "Asoka Vanikanyayam" and 'Sthalipulakanyayam'.

MR. SPEAKER : I am going to put the motion to the vote of the House. The question is—

"That the Madras Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), as amended by the Joint Select Committee, be taken into consideration."

The motion was put and lost.

4 p.m. DR. K. B. MENON : I want to make a statement, Sir, on the Madras Marumakkattayam (Amendment) Bill, 1954.

MR. SPEAKER : I am afraid that when a motion has been put to the vote of the House and declared lost, I must proceed to the next item of business unless it be that the hon. Member wants to make a personal explanation.

THE HON. SRI C. SUBRAMANIAM : Even that does not arise now, Sir.

MR. SPEAKER : Yes, we shall proceed with the Swayamariyathai Marriages Validation Bill, 1955.

DR. K. B. MENON : As a protest, we are staging a walk-out, Sir.

(Some Members from Malabar belonging to the Opposition parties then left the Chamber.)

(2) THE SWAYAMARIYATHI MARRIAGES VALIDATION BILL, 1955.

SRI P. RANGASWAMI REDDIAR : Sir, I move—

"That the Swayamariyathai Marriages Validation Bill, 1955 (L.A. Bill No. 36 of 1955), be taken into consideration at once."

The motion was duly seconded.

THE HON. SRI C. SUBRAMANIAM : I have considered the provisions of the Bill. They need considerable changes. The Bill has got to be properly drafted. I may give this assurance to Sri P. Rangaswami Reddiar that we will have this question examined and bring an official Bill for the purpose of validating past

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marriages. As far as future marriages are concerned, they are covered by the Special Marriages Act. In view of this, I would request the hon. Member Sri P. Rangaswami Reddiar not to press his Bill. Before finalizing our Bill, we will consult Sri P. Rangaswami Reddiar whenever necessary.

SRI P. RANGASWAMI REDDIAR : No doubt some time would elapse before Government bring in their official Bill. I shall say a few words within five minutes. In the month of July 1934 one Chinnaswami Chettiar married one Rangammal. In the course of 19 years they begot four children and after 19 years the High Court held that the marriage was not valid because certain religious rites and ceremonies were not observed in the celebration of the marriage. I am not pointing out any single instance There are several instances like that. The Hon. Leader of the House has stated while introducing the Madras Non-Conforming Marriages Bill, that thousands of such marriages were being celebrated in this State. Already three years have elapsed since the decision of the High Court. I would therefore request the Hon. Leader of the House to bring in the official Bill relating to this question at least in the September session. If he gives me such an assurance, I would not press this Bill.

MR. SPEAKER : The Bill is not pressed Are you withdrawing the Bill?

SRI P. RANGASWAMI REDDIAR : Yes, Sir.

The Bill was, by leave, withdrawn.

(3) THE MALABAR TENANCY (AMENDMENT) BILL, 1956.

SRI V. R. KRISHNA AYYAR : Mr. Speaker, Sir, I beg leave of the House to introduce the Malabar Tenancy (Amendment) Bill, 1956.

SRI M. PALANIYANDI : I second it, Sir.

MR. SPEAKER : The question is—

"That leave be granted for the introduction of the Malabar Tenancy (Amendment) Bill, 1956."

The motion was put and carried.

SRI V. R. KRISHNA AYYAR : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(4) THE MADRAS POLITICAL SUFFERERS (PAYMENT OF PENSIONS) BILL, 1956.

SRI S. PANCHAKSHARAM : Mr. Speaker, Sir, I beg leave of the House to introduce the Madras Political Sufferers (Payment of Pensions) Bill, 1956.

The motion was duly seconded.

MR. SPEAKER : The question is—

"That leave be granted for the introduction of the Madras Political Sufferers (Payment of Pensions) Bill, 1956.

The motion was put and carried.

SRI S. PANCHAKSHARAM : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

As the hon. Member, Sri K. M. Seethi Sahib, who has given notice of the Mappilla Marumakkattayam (Amendment) Bill, 1956, is not in his place, the Bill is deemed to have been withdrawn.

(5) THE MADRAS LEGISLATIVE PROCEEDINGS (PROTECTION OF PUBLICATIONS) BILL, 1956.

SRI P. RANGASWAMI REDDIAR : Mr. Speaker, Sir, I beg leave of the House to introduce the Madras Legislative Proceedings (Protection of Publications) Bill, 1956.

The motion was duly seconded.

MR. SPEAKER : The question is—

"That leave be granted for the introduction of the Madras Legislative Proceedings (Protection of Publications) Bill, 1956."

The motion was put and carried.

SRI P. RANGASWAMI REDDIAR : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(6) THE DEVOLUTION OF STHANAMS PROPERTIES MANAGEMENT BILL, 1956.

SRI M. NARAYANA KURUP : Mr. Speaker, Sir, I beg leave of the House to introduce the Devolution of Sthanams Properties Management Bill, 1956.

SRI K. P. GOPALAN : I second the motion, Sir.

MR. SPEAKER : The question is—

"That leave be granted for the introduction of the Devolution of Sthanams Properties Management Bill, 1956."

The motion was put and carried.

SRI M. NARAYANA KURUP : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(7) THE MADRAS CULTIVATING TENANTS PROTECTION (AMENDMENT) BILL, 1956.

SRI N. K. PALANISAMY : Mr. Speaker, Sir, I beg leave of the House to introduce the Madras Cultivating Tenants Protection (Amendment) Bill, 1956.

SRI K. VINAYAKAM : I second the motion, Sir.

MR. SPEAKER : The question is—

" That leave be granted for the introduction of the Madras Cultivating Tenants Protection (Amendment) Bill, 1956."

The motion was put and carried.

SRI N. K. PALANISAMY : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(8) THE MADRAS AGRICULTURISTS RELIEF (AMENDMENT) BILL, 1956.

SRI V. BALAKRISHNAN : Mr. Speaker, Sir, I beg leave to introduce the Madras Agriculturists Relief (Amendment) Bill, 1956.

SRI K. VINAYAKAM : I second the motion, Sir.

MR. SPEAKER : The question is—

" That leave be granted for the introduction of the Madras Agriculturists Relief (Amendment) Bill, 1956."

The motion was put and carried.

SRI V. BALAKRISHNAN : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(9) THE MADRAS CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 1956.

SRI K. VINAYAKAM : Mr. Speaker, Sir, I beg leave to introduce the Madras Co-operative Societies (Amendment) Bill, 1956.

SRI V. BALAKRISHNAN : I second the motion, Sir.

MR. SPEAKER : The question is—

" That leave be granted for the introduction of the Madras Co-operative Societies (Amendment) Bill, 1956."

The motion was put and carried.

SRI K. VINAYAKAM : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

B. Resolution.

(1) FORMATION OF KERALA STATE LEGISLATIVE ASSEMBLY WITH THE MEMBERS OF THE MADRAS AND TRAVANCORE-COCHIN STATE ASSEMBLIES.

SRI T. C. NARAYANAN NAMBIAR : Sir, I move the resolution standing in my name, viz.—

" That this House recommends to the Government of India and the President of the Indian Union to take steps to constitute the Kerala State Legislative Assembly on the eve of the reorganization of the New Kerala State with the members of the Madras and Travancore-Cochin State Assemblies of the proposed Kerala Region as members thereof."

SRI K. P. GOPALAN : I second the motion, Sir.

THE HON. SRI C. SUBRAMANIAM : Sir, I came here with the definite understanding that the resolution relating to " Handlooms " only will be taken up. Suddenly the hon. Member Sri T. C. Narayanan Nambiar has moved this resolution. I have not considered it. I would like to have time to consider it and find out what are its implications. The Lok Sabha has considered this question and the Rajya Sabha is engaged in the consideration of the Bill. There should be some meaning in moving a resolution unless it be we want to give vent to our feelings. That is not the intention of resolutions, I suppose. We want to move resolutions knowing its full implications. Therefore I would like Sri T. C. Narayanan Nambiar not to press his resolution at this stage.

4-10 p.m. SRI T. C. NARAYANAN NAMBIAR : I submit that the Hon. Leader of the House is not taken unawares, because notice of this resolution was given, a ballot was held and it secured the first place in the ballot and it is included in the agenda as the first item under " Resolutions ". Even now, I think, he anticipated fully well that this resolution would be called and hat I would move it.

THE HON. SRI C. SUBRAMANIAM : No doubt it has come first in the list. But I would like the hon. Member to consult the Leader of his Party. According to the understanding that we arrived at, only the resolution relating to handloom weavers would be taken up to-day. So, I am not prepared. After all I should study the resolution and know its implications. If the hon. Member is very keen on moving the resolution, I shall have it examined and we can take it up in September.

* SRI M. NARAYANA KURUP : There is no motion before the House that this resolution be passed over. Now the Hon. Minister says that there was some understanding. Even if there was some understanding, proper procedure must be followed; a motion must be moved that this resolution be passed over and the next resolution be taken up. Finding fault with Members, I submit, is not proper.

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MR. SPEAKER : The Hon. Leader of the House is asking the mover of the resolution whether, in view of the understanding, he would like to have the resolution postponed to another date. It is open to the hon. Member to say whether he agrees to it or not.

SRI P. RAMAMURTHI : I would like to make the position clear. A number of Members had given notice of an identical resolution with regard to handloom weavers. The Hon. Sri M. Bhaktavatsalam told me—the Hon. Sri C. Subramaniam also was present at that time—that, in view of this fact, it was better that they all agreed to give priority to it and took it up as the main business. At that time I personally felt that it was an arrangement which could be agreed to. But subsequently the Leader of the House and I had a discussion. In view of the fact that Malabar is going to be separated very shortly and also in view of the fact that the States Reorganization Bill has been passed only by the Lok Sabha and has not yet been finally passed by the Rajya Sabha, I thought that there was a likelihood of the Rajya Sabha accepting any recommendation that we might make. Therefore it is, I said that the Member could move the resolution.

MR. SPEAKER : The question is whether the resolution should be taken up now.

SRI T. C. NARAYANAN NAMBIAR : It may be taken up, Sir.

MR. SPEAKER : I have no option in the matter. The resolution will be proceeded with.

SRI T. C. NARAYANAN NAMBIAR : This resolution is in consonance with a principle which we have adopted during the discussion on the States Reorganization Bill. I would draw attention to the unanimous resolution of this House that the Members of the Travancore-Cochin State Assembly representing the areas to be merged with the Madras State will become Members of the Madras Assembly from the date of the merger. Unfortunately, the Travancore-Cochin State Assembly has been dissolved by the President of the Indian Union. Though there is no emergency in the State, there is no aggression from outside, there is no internal trouble and everything is going on peacefully. President's rule has come in because of the peculiar circumstances there. The fact that that Assembly has been dissolved does not stand in the way of our accepting the content of this resolution, because we have already accepted the principle underlying this resolution in respect of the Members of the Travancore-Cochin State Assembly representing the areas to be merged with the Madras State.

Another point that I wish to emphasize is that on the auspicious day of reorganization of the States, no territory in India should be without a Legislature. The Karnataka Members will be joining

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the Mysore Assembly and the Tamilnad Members of Travancore-Cochin State will be joining the Madras Assembly. I do not understand why the Malabar Members of this Assembly and the Members of Travancore-Cochin State Assembly should not join together and form the Assembly of the Kerala State.

I hope the Hon. Minister will concede the principle of my resolution and accept the resolution.

* SRI M. NARAYANA KURUP : Had the Rajya Sabha also passed the States Reorganization Bill, of course the hon. Member would not have pressed this resolution. I thought that this Government would be willing to make such a proposal, whatever might be the ultimate result. The Madras Government are not responsible for the President's Rule in Travancore-Cochin State. However, Malabar and other areas being part and parcel of this State, it is the duty of this Government to see whether, along with States reorganization, anything can be done to set up a legislature and a popular ministry in the Travancore-Cochin State. They may succeed or they may not succeed. We find that in respect of the States Reorganization Bill, Parliament has got full and plenary powers to make any arrangement with respect to representation of areas transferred to another State. We find that even schedules are attached with respect to Council of State Members and Legislative Council Members. Having regard to the situation obtaining in the Travancore-Cochin State, it is quite within the competence of this Government to try whether any amendment could be made in the Bill providing for a temporary arrangement till the general elections take place. We know that changes are made in the Bill at the eleventh and even the twelfth hour; only the ruling party must have the mind to make the change. Whether our resolution will carry such weight as to move the Central Government, I am not sure. But if there is a will, the Central Government can find a way out. It will be our satisfaction that we being part of the Madras State, this Government did their best to avoid President's Rule in the Kerala State. I submit that this resolution is quite in order and is opportune even at this late hour and I hope the Hon. Leader of the House will agree to its being passed.

4-20 p.m. SRI K. P. GOPALAN : I support this resolution. By this resolution, we are not blaming this Government. This Government should see that an Assembly and a popular ministry are set up in the Kerala State on the 1st of November. By this resolution we are only conveying to the Central Government and the party in power the feelings of the people of Malabar. I am sorry that on 1st November 1956—an auspicious day—there will not be any Assembly in Kerala. I feel that this is no good augury for the Congress Party in power. I want to state here that certainly the people of Malabar will never welcome the officers' rule in the place of a democratic Government. What I feel is that if the Malabar Assembly members and the dissolved Travancore-Cochin State Assembly members join together, a stable Government can

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be formed in Kerala. What is understand is that the party in power wants only the Congress Party to rule the country. It never wants any other party to come into power. It does not want the representatives of the people to form a ministry. That political implication is always there. I want to bring this out clearly before the House. That is the political motive. That is why I want to explain it so clearly.

I wish to state here that I am not concerned whether the Finance Minister opposes the resolution or supports it. But I want to make clear to this House the feelings of the people of Malabar that they would never prefer the officers' rule to a democratic Government. The people of Malabar will always stand for democracy. With these words, Sir, I resume my seat.

* **Sri C. H. KANARAN :** മിസ്റ്റർ സ്പീക്കർ, സർ, ഭാഷാടിസ്ഥാനത്തിലുള്ള സംസ്ഥാന പുനസ്സംഘടന ഈ രാജ്യമാകെ സ്വാഗതം ചെയ്തിട്ടുള്ള ഒരു സംഗതിയാണ്. അങ്ങനെ ഭാഷാടിസ്ഥാനത്തിലുള്ള സംസ്ഥാന പുനസ്സംഘടന നടപ്പിൽവരുന്ന സന്ദർഭത്തിൽ കേരളത്തിൽ മാത്രം ഒരു നിയമസഭ ഇല്ലാതിരിക്കുകയും കേരളം ഏതോ ഒരുദ്യോഗസ്ഥന്റെ—അയാൾ ഉത്തരവാദിത്വമില്ലാത്തവനാണെന്നൊന്നും ഞാൻ പറയുന്നില്ല—ഇന്ത്യാ ഗവർമ്മേണ്ട് നിയമിക്കുന്ന ഒരുദ്യോഗസ്ഥന്റെ ഭരണത്തിൻ കീഴിൽ . . . . 4.22 p.m.

The Hon. Sri C. SUBRAMANIAM : On a point of order, Sir. I am sorry that hon. Members are casting aspersions on the President's rule. It is not an officer's rule. It is the President's rule. The Government is carried on by the laws made by Parliament. So, to say that it is an officer's rule on the floor of this Assembly, with which we have no concern at all, and cast aspersions on the President's rule, would be quite out of order. I thought hon. Members would just make a casual observation and leave it at that. To say that it is an officer's rule will be casting aspersions on the President's rule and Parliament which we are not competent to do here.

Mr. SPEAKER : Malabar is not now under the President's rule. What the hon. Member is saying is that after the 1st of November, it will be unfortunate if it comes under the President's rule.

The Hon. Sri C. SUBRAMANIAM : The hon. Member is saying " officer's rule ". That is not the way of saying it.

Mr. SPEAKER : പ്രസിഡെണ്ടിനെപ്പററി സംസാരിക്കുന്നത് കുറെക്കൂടെ ശ്രദ്ധിച്ചും നിയന്ത്രണത്തോടുകൂടിയും വേണം.

* **Sri C. H. KANARAN :** സർ, പ്രസിഡെണ്ടിന്റെ പദവി എന്തുതന്നെയായാലും, കേരളത്തിലെ ജനങ്ങളുടെ നിയമസഭ തിരഞ്ഞെടുത്ത ആളല്ല കേരളത്തെ ഭരിക്കാൻപോവുന്നത്. എന്തെല്ലാം പറഞ്ഞാലും ജനാധിപത്യാടിസ്ഥാനത്തിലല്ലാതുള്ള ഒരു ഭരണം കേരളത്തിലെ ജനതയ്ക്ക് സ്വീകാര്യമല്ലെന്നു അസന്ദിഗ്ദ്ധമായി പ്രഖ്യാപിച്ചുകൊള്ളട്ടെ. അതാണു കേരളത്തിലെ ജനങ്ങളുടെ നിലപാട്. അതിനെക്കുറിച്ച് ആർക്കും സംശയംവേണ്ട. പിന്നെ അത് ശരിയോ തെറ്റോ എന്നെല്ലാം ബഹുമാനപ്പെട്ട മന്ത്രിക്ക് സംശയമുണ്ടായിരിക്കാം. അത് അദ്ദേഹം പിന്നീടു ആലോചിച്ചു തീർച്ചയാക്കിക്കൊള്ളട്ടെ. എന്റെ അഭിപ്രായം ഇതാണ്. അത് പറയാതിരിക്കാൻ നിവൃത്തിയില്ല.

[Sri C. H. Kanaran] [18th August 1956

സർ, ഈ പ്രമേയത്തെപ്പററി ചർച്ചചെയ്യുമ്പോൾ പ്രധാനമായി ഗൗനിക്കേണ്ട ഒന്നു രണ്ടു സംഗതികളുണ്ട്. എന്താണ് കേരളത്തിൽ മാത്രം ഈ പുനസ്സംഘടനാവേളയിൽ ഒരു നിയമസഭ വേണ്ടെന്നുവെയ്ക്കാൻ കാരണം? തിരുവിതാംകൂർ-കൊച്ചിയിലേയും മലബാറിലേയും കോൺഗ്രസ്സ് എം. എൽ. എ. മാരെല്ലാംകൂടെ ചേർന്നാലും കേരള അസെംബ്ലിയിൽ കോൺഗ്രസ്സിന്നു ഭൂരിപക്ഷം കിട്ടാൻ പോവുന്നില്ല. അവിടെ കോൺഗ്രസ്സിന്നു ഭരിക്കാൻ ഒക്കുകയില്ല എന്ന് ബോദ്ധ്യമായിക്കഴിഞ്ഞതിന്നുശേഷമാണ് കോൺഗ്രസ്സല്ലാതെ മററാരും ഭരിക്കരുതെന്നുള്ള വിചാരത്തിൽ മുൻകൂട്ടി ഒരു പ്ലാനിട്ടുകൊണ്ട് തിരു-കൊച്ചി അസെംബ്ലി പിരിച്ചുവിട്ടിട്ടുള്ളത്. നഗ്നമായ ഈ പരമാർത്ഥം മറച്ചുവയ്ക്കാൻ എത്ര പ്രധാനമന്ത്രിമാർ ശ്രമിച്ചാലും, എത്ര മുഖ്യ മന്ത്രിമാർ ശ്രമിച്ചാലും, സാദ്ധ്യമല്ല. ഒരു രാഷ്ട്രീയമായ ഉപജാപത്തിന്റെ ഫലമായിട്ടാണ് തിരു-കൊച്ചി അസെംബ്ലി പിരിച്ചുവിടപ്പെട്ടതെന്ന പരമാർത്ഥത്തെ ആർക്കും നിഷേധിക്കാൻ സാദ്ധ്യമല്ല. തങ്ങളല്ലാതെ മററാരും ഭരിക്കരുത് എന്നുള്ള സ്വേച്ഛാധിപത്യമനഃസ്ഥിതിയാണ് ഈ നടപടിയുടെ പിന്നിലുള്ളത്. ജനാധിപത്യത്തെപ്പററി സദാ പ്രസംഗിക്കുകയും പ്രയോഗത്തിൽ അതിനെ പുല്ലുപോലെ വലിച്ചെറിയുകയും ചെയ്യുന്ന കോൺഗ്രസ്സിന്റെ നയത്തിന്നു മകുടോദാഹരണമാണ് തിരു-കൊച്ചിയിലുണ്ടായ അസെംബ്ലി പിരിച്ചുവിടൽ. അതിരിക്കട്ടെ. തിരു-കൊച്ചിയിൽ നടന്നതെന്താകട്ടെ തിരു-കൊച്ചി അസെംബ്ലി പിരിച്ചുവിട്ടു കഴിഞ്ഞു. ശരി, അതിന്നു മലബാറിൽനിന്നും കാസർഗോഡിൽനിന്നും വരുന്ന ഞങ്ങളെന്തു പിഴച്ചു? മലബാറിലെ ജനങ്ങളും അവർ തിരഞ്ഞെടുത്തയച്ച പ്രതിനിധികളും എന്തു തെററുചെയ്തു? തങ്ങൾ തിരഞ്ഞെടുത്ത ആളുകൾവേണം തങ്ങളെ ഭരിക്കാനെന്നു ജനങ്ങളാവശ്യപ്പെടുന്നു. തിരഞ്ഞെടുക്കപ്പെട്ട പ്രതിനിധികൾ ഭരിക്കാൻ പാടില്ല, അവരെല്ലാം വീട്ടിൽപോയ്ക്കൊള്ളണം, തിരു-കൊച്ചിയിൽ പ്രസിഡെണ്ട് നിയമിച്ചിട്ടുള്ള ഒരുദ്യോഗസ്ഥന്റെ ഭരണം മലബാറിലേയ്ക്കുകൂടെ നിട്ടിക്കൊള്ളണം എന്നാണ് ഗവർമ്മേണ്ടിന്റെ നിലപാട്. ഇതാണോ ജനാധിപത്യം? ഇതാണു ഞങ്ങളുടെ ജനാധിപത്യം, ജനങ്ങളതു സ്വീകരിച്ചുകൊള്ളണം എന്നു പറഞ്ഞാലെന്താണിതിന്റെയൊക്കെ അർത്ഥം.

മറെറാരു കാര്യംകൂടെ ഗൗനിക്കേണ്ടതുണ്ട്. തെക്കൻ തിരുവിതാംകൂറിലെ തമിഴ് പ്രദേശങ്ങൾ മദിരാശിയിൽ ചേരുമ്പോൾ അവിടത്തെ മുൻ എം.എൽ.എ മാരെ പുനർജീവിപ്പിച്ച് മദിരാശി അസെംബ്ലിയിൽ കൊണ്ടുവരുന്നതിന്നു ഇവിടെ ബഹുമാനപ്പെട്ട മന്ത്രിതന്നെ ഒരു പ്രമേയം അവതരിപ്പിച്ച് പാസ്സാക്കി അയച്ചിട്ടുണ്ട്. അതിനെന്താണു കാരണം? തെക്കൻ തിരുവിതാംകൂറിൽനിന്നു വരാനുള്ളവരെല്ലാം കോൺഗ്രസ്സുകാരാണ്. ഇവിടെനിന്നു പോകാനുള്ളവരിൽ കോൺഗ്രസ്സുകാർ വളരെയൊന്നുമില്ലതാനും. തങ്ങളുടെ പക്കത്തുള്ളവരാണെങ്കിൽ വരാം. മറുഭാഗത്തു നിൽക്കുന്നവരാണെങ്കിൽ അവർ പുറത്തുപൊയ്ക്കൊള്ളണം. അതല്ലേ ഈ പറയുന്നതിന്റെയും കാണിക്കുന്നതിന്റെയുമെല്ലാം അർത്ഥം? തെക്കൻ തിരുവിതാംകൂറിലെ പഴയ എം.എൽ.എ. മാർക്ക് ഈ അസെംബ്ലിയിൽ സ്ഥാനം നൽകുന്നത് ന്യായമാണെങ്കിൽ തിരു-കൊച്ചിയുടെ ബാക്കി ഭാഗങ്ങളിലെ എം. എൽ. എ മാർക്ക് എന്തുകൊണ്ടു കേരള അസെംബ്ലിയിൽ സ്ഥാനം നല്കിക്കൂടാ? ജനാധിപത്യത്തിന്റെ ന്യായം ഒന്നാണെങ്കിൽ അതെന്തുകൊണ്ട് തെക്കൻ താലൂക്കുകളിൽ മാത്രമല്ലാതെ മററു ഭാഗത്തേയ്ക്കുംകൂടെ വ്യാപിപ്പിച്ചുകൂടാ? അതാണ് ചോദ്യം. തെക്കൻ തിരുവിതാംകൂറിനെ സംബന്ധിച്ചിടത്തോളം ഗവർമ്മേണ്ടുതന്നെ ന്യായമെന്ന് സമ്മതിച്ചിട്ടുള്ള ജനാധിപത്യ തത്വത്തിന്റെ അടിസ്ഥാനത്തിലാണ് എന്റെ സ്നേഹിതൻ ശ്രീ ടി. സി. നാരായണൻ നമ്പ്യാർ ഈ പ്രമേയം അവതരിപ്പിച്ചിട്ടുള്ളത്. ന്യായത്തിന്റെയും സത്യത്തിന്റെയും ജനാധിപത്യത്തിന്റെയും പേരിൽ മിനുട്ടിന്നു മിനുട്ടിന്നു നെടുനെടുങ്കൻ പ്രസംഗങ്ങൾ ചെയ്യുന്ന മന്ത്രിമാർ ഈ പ്രമേയത്തെ പിന്താങ്ങുന്നില്ലെങ്കിൽ അവർക്ക് അവർ ഈ പറയുന്നതിലൊന്നും വിശ്വാസമില്ലെന്നാണർത്ഥം. ഈ പ്രമേയത്തെ എതിർക്കുന്നവർ തങ്ങൾക്ക് ജനാധിപത്യത്തിൽ വിശ്വാസമില്ലെന്നു പ്രഖ്യാപിക്കുകയായിരിക്കും ചെയ്യുന്നതെന്നു ഓർമ്മിപ്പിച്ചുകൊണ്ടു എന്റെ പ്രസംഗം അവസാനിപ്പിച്ചുകൊള്ളുന്നു.

4·28 p.m. THE HON. SRI C. SUBRAMANIAM: Sir, before we proceed to pass a resolution, we should see that we are not a party to pass

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a resolution which will be impracticable and which will not be possible of implementation also. I would request hon. Members to read carefully the resolution as it stands. The resolution says—

"This House recommends to the Government of India and the President of the Indian Union to take steps to constitute the Kerala State Legislative Assembly on the eve of the reorganization of the New Kerala State with members of the Madras and Travancore-Cochin State Assemblies of the proposed Kerala Region as members thereof."

In the Travancore-Cochin State, the Assembly has been dissolved and at present there are no members of the Assembly. To say, therefore, that with the members of the Travancore-Cochin State Assembly, an Assembly be formed for the future Kerala State has no meaning at all. We will only be a party, if we pass the resolution, to a certain thing which will be impossible of implementation. Secondly, we find that the Lok Sabha has already considered the State Reorganization Bill and the Rajya Sabha is considering it. If there was something urgent about it, certainly this subject should have been brought forward much earlier. Certainly representations could have been made to the Government to allot time for this as soon as the Assembly sittings commenced so that this recommendation could at at least be considered by the Government of India for what it is worth. But now there is absolutely no chance. We will be passing the resolution to-day. To-morrow is a holiday. Even if we send the resolution to Delhi with the utmost expedition, it will reach Delhi only after the consideration of the Bill is over in the Rajya Sabha also. Therefore, let us be practical men. Having given expression to their feelings, I hope hon. Members would stop with that and not press this resolution to the vote of the House. Further, Sir, hon. Members are aware that a Proclamation of the President's rule can last only for six months. For another six months, Parliament will have to give its concurrence for the extension of the President's rule. What the Parliament is going to do, we do not know. If at all any Assembly is to be constituted, it could be constituted only by an election in the Travancore-Cochin State. We have to consider that as practical men. In this respect, we have to see whether this is a reasonable resolution to which this Assembly can be a party. I fully sympathise with the lot of the Members coming from the Malabar district, particularly because, for no fault of theirs they would find themselves in no Assembly after the reorganization. But, these are the advantages and disadvantages arising out of the reorganization of States. This is all because of the unfortunate situation prevailing in the Travancore-Cochin State. We are not here to pass judgment over the Proclamation issued by the President or the state of affairs in the Travancore-Cochin State. That has to be considered by the people of the Travancore-Cochin State and the representatives of the Travancore-Cochin State in the Parliament and by the President. They are all

4-30 p.m.

responsible men. I am sure they would have taken adequate measures to make representations in the Parliament with reference to this state of affairs. To think, Sir, that the representatives of that State in the Parliament and the nepresentatives of Malabar in Parliament would be voiceless and they would not be able to put forward their point of view in the Lok Sabha and in the Rajya Sabha is to think that we alone are aware of our rights in this regard. I can assure the hon. Members of this House that Members in the Lok Sabha and the Rajya Sabha are as much representatives of the people as Mr. Kanaran or Mr. Narayanan Nambiar or anybody else. In a way, they have greater representation, because they represent a larger number of people in the Union Parliament. If there were nobody in the Lok Sabha or the Rajya Sabha to represent these matters and this was the only forum where we could give expression to these things, I could very well understand a resolution of this kind being discussed here and passed. But there are representatives of the Travancore-Cochin State in the Lok Sabha and Rajya Sabha and there are representatives coming from Malabar district in the Lok Sabha and Rajya Sabha. We will be casting a reflection on the competence and capacity of these representatives in the Parliament if we at this very late stage—it is not even the eleventh or twelfth hour, it is something beyond the twelfth hour even—pass a resolution which, as I have said already will have absolutely no meaning and be impossible of implementation. We will only be a party to passing a resolution which has no meaning, and which we realize even now is impossible of implementation. I do not think the House will take up the responsibility of being a party to passing such a resolution. I request the hon. Members, having given expression to their points of view to leave it at that. I am sure the Members in Parliament, the Government of India and the President will take note of the feelings of the hon. Members of this House expressed on the floor of the House over this question.

SRI T. C. NARAYANAN NAMBIAR : Mr. Speaker, this is an Assembly which has passed unanimously a resolution to allow the Members coming from the Tamil area of the Travancore-Cochin State . . .

THE HON. SRI C. SUBRAMANIAM : All that is over now.

SRI T. C. NARAYANAN NAMBIAR : That may be over now. But at that time also all of us were aware that the Travancore-Cochin State Assembly had been dissolved.

THE HON. SRI C. SUBRAMANIAM : That is why, I think in the other resolution, it had been stated, 'Members of the Assembly at the time . . . '.

SRI T. C. NARAYANAN NAMBIAR : If that fact had been taken cognizance of by this House and if they had overcome a technical difficulty at that stage, the legal capacity of the Hon.

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Leader of the House must come to the help of the Mover of the Resolution. On a former occasion, when the Malabar Tenancy (Amendment) Bill was discussed and passed into law by this House, everyone of us was aware of the fact that even a great person like Mr. C. Rajagopalachari was not averse to bringing forward technical amendments on the spur of the moment to set right certain defects. Similarly, if there were mistakes, certainly, they could be rectified. If any defect in the wording of the resolution, according to the Hon. Leader of the House, was the only impediment and obstacle standing in the way of acceptance of this resolution, surely, that can be overcome by adding the word "dissolved" or some such words. Nobody will object to that. That is not the difficulty. The Hon. Leader of the House stated that this House should not be a party to the passing of such a resolution. But, I firmly think that this House must be party to doing justice to the territories wherefrom representatives of the people come as Members of the Legislature, who, for no fault of theirs, will find themselves in no Assembly. They will have no opportunity to represent to the Government and discuss matters in a democratic way. In the next three or four months, they will be voiceless and will not be able to give their views and opinion on the various matters affecting the people, such as the implementation of the Second Five-Year Plan and matters like that.

The Hon. Leader of the House stated that the Lok Sabha and the Rajya Sabha did not accept any amendment in this regard. Of course, Members coming from the Malayalam-speaking areas have moved certain amendments in this regard, but they were not accepted. My contention is that this Assembly has passed a resolution unanimously with regard to certain Members of the dissolved Travancore-Cochin State Assembly recommending that they may be permitted to sit in this Assembly after reorganization. But, no such resolution has been passed by this Assembly on the position of the Members coming from the Malayalam-speaking area and that would have been the reason for the Parliament's not accepting any amendment. According to the Constitution, the President can make the necessary rules and take suitable steps to do justice for the masses of the country. So, I am unable to accept the argument put forward by the Hon. Leader of the House.

THE HON. SRI C. SUBRAMANIAM: I am sorry I cannot accept the resolution. I will have to oppose it on behalf of the Government.

MR. SPEAKER: Instead of putting the resolution to the vote of the House, I would like to know from the hon. Member whether he would be satisfied if the proceedings of this House on this resolution, without taking a decision on the same were transmitted to the Government of India. In that case, the hon. Member need not press his resolution.

(2) DISTRIBUTION OF YARN TO HANDLOOM WEAVERS AT FAIR PRICE AND THE TEXTILE POLICY OF THE GOVERNMENT OF INDIA.

SRI T. C. NARAYANAN NAMBIAR : Sir, I request that my resolution may be put to the vote of the House and at the same time, the proceedings of the House may also be sent.

MR. SPEAKER : I now put to vote the resolution of the hon. Member Sri T. C. Narayanan Nambiar. The question is--

" This House recommends to the Government of India and the President of the Indian Union to take steps to constitute the Kerala State Legislative Assembly on the eve of the reorganization of the New Kerala State with Members of the Madras and Travancore-Cochin State Assemblies of the proposed Kerala Region as members thereof."

The Resolution was put and lost.

SRI P. RAMAMURTHI : Mr. Speaker, I move the Resolution that stands in my name and which reads as follows :—

" This Assembly is of opinion that the new textile policy of the Government of India would lead to displacement of a number of handlooms and cause unemployment and distress among the handloom weavers and therefore recommends to the Government of India to rescind their policy ; and

This House further recommends to the Government of India that an adequate proportion of yarn produced be set apart exclusively for handlooms as distinct from powerlooms and that such proportion of yarn be compulsorily procured by the Government and distributed to the handloom weavers at a fair price."

4.40 p.m. Sir, I wish to speak on this resolution in English contrary to my normal practice because the Government have agreed that as this is a very important question, they would like to forward the proceedings of the entire debate to the Government of India. Unfortunately the time at the disposal of the House is very short and probably the discussion on this question may be inconclusive; nonetheless in view of the importance of this subject, I wish to utilize the time available now to explain in brief what exactly has been the policy of the Government of India

Now, Sir, when the Second Five-Year Plan was drafted, the allocation of cloth and yarn as between the mills and handlooms was not finally decided upon. As a matter of fact, with regard to the consumer goods, the Second Five-Year Plan makes the position clear. It says—

" Overall targets for cloth and yarn production have been envisaged at 8,500 million yards and 1,950 million lb. respectively by 1960–61. A firm allocation of this output as between the mills and the decentralised sector (powerlooms and handlooms for cloth and Amber Charka for yarn) has yet to be made. In fact, however, the spindleage already installed and licensed for installation is sufficient to produce 1,950 million lb. of yarn."

18th August 1956] [Sri P. Ramamurthi]

This is a matter in which the entire State of Madras is vitally interested. We all know that out of the 22 lakhs of looms that are in operation throughout this country, more than 5 lakhs of looms are in operation in Tamil Nad alone. I am not speaking about Malabar now. At the rate of four members per family about 2 million people are dependent on the working of the handlooms for their daily avocation. Therefore, we are vitally interested to know what is provided for handlooms in the Second Five-Year Plan. We want to know whether the policies of the Government are going to further aggravate the problem of unemployment in the State or whether they are going to abate the problem of unemployment. It is primarily from that point of view that I wish to focus the attention of the Government as well as this House on this important question. Sir, when the Second Five-Year Plan was published, the Government of India at that time had not come to a definite decision in respect of this matter. Powerful pulls were operating—pulls from the side of the big mill-owners who in the name of the suppliers of consumer goods were pulling the Government of India in one direction. The Planning Commission was pulled in another direction. As against these pulls, the common people of this country want that the policy of the Government should not lead to the strengthening of the monopolists in our country, particularly those monopolists who are entrenched in the oldest industry of our country, viz., the textile industry. In this connexion, I would refer to the statement made recently by the Industries Minister of the Government of India, Mr. T. T. Krishnamachari, with regard to the new policy in respect of the textile industry. What does it boil down to? I will give in a brief outline the main points of that policy. Mr. T. T. Krishnamachari says that at the end of the Second Five-Year Plan period, the demand for cloth is likely to go up. To-day we are consuming at the rate of about 16½ yards of cloth per head on the average and he expects that at the end of the Second Plan period, the consumption of cloth would go up to 18½ yards of cloth per head. We have to take into account the fact that population is also likely to increase during that period. At the end of the Second Five-Year Plan period, that is, in 1961 the population of India is likely to be of the order of 400 million or 40 crores of people. Therefore, by multiplying 40 crores by 18½ yards of cloth required per head, he comes to the conclusion that 740 million yards of cloth would be required in 1961. To-day we are exporting about 850 million yards of cloth and he expects that if we step up our exports, we will be able to reach a target of 1,000 million or 100 crore yards of cloth. On these two assumptions, he comes to the conclusion that the total requirements of cloth at the end of the Second Five-Year Plan period will be of the order of 8,400 million or 840 crore yards of cloth. To-day the mills are producing about 5,000 million or 500 crore yards of cloth but the handloom sector, according to him, is able to produce only about 150 crore yards of cloth. Already, the powerlooms that are installed in the various parts of the

country as for instance in Bombay, Berhampore and Ahmedabad are producing about 20 crore yards of cloth. So, the total cloth production in our country including the mill sector, the handloom sector and the decentralised powerloom sector—if we like to call it—comes to 670 crore yards of cloth. But our cloth requirements at the end of the Second Five-Year Plan will be of the order of 840 crore yards of cloth. Thus there will be a surplus demand for about 170 crore yards of cloth and therefore, he says: "I want to do justice to all people. I would do justice to the biggest mill-owners; I would also do justice to the people who start power-looms; and I would also do justice to the handloom weavers." In that way he seeks to dispense even justice to all sorts of people. According to that policy, in order to meet these additional cloth requirements, the mill sector will be allowed to increase its production to the extent of 35 crore yards of cloth, for which purpose licences will be granted for the installation of 14,600 automatic looms in this year itself and orders have already been placed for the supply of these automatic looms with firms in foreign countries like the United Kingdom and America and these looms would be located particularly in Bombay and Ahmedabad. These looms would produce, according to him, about 35 crore yards of cloth. Apart from that, he says, that licences would be issued for about 35,000 powerlooms preferably in the Co-operative sector but if the Co-operative sector does not take them up, then other people will take them up and licences will be issued to them to install about 35,000 powerlooms in the course of this year and next year. He says that these 35,000 powerlooms will produce about 20 crore yards of cloth. Now what is left is nearly 100 to 120 crore yards of cloth which would be required by the people of our country. Therefore, he says, there is ample and great scope for the development of the handloom industry, and in that way the Government of India are doing justice to all sorts of people. This is how Mr. Krishnamachari has tried to justify his policy.

Now, what are the facts? First of all, we must take into consideration the assumptions on which Mr. Krishnamachari and the Government of India have based their policy and whether those assumptions are correct and whether the facts as disclosed by the statistics available to the Government of India and the Planning Commission justify these assumptions at all. At this stage I do not want to give a detailed story of the long discussions that had taken place at the meetings of the Planning Commission and the Handloom Board and the statements made by Mr. Krishnamachari on the one hand and Mr. Gulzarilal Nanda, a Member of the Planning Commission, on the other. I do not want to go into that aspect of the matter now. But let us take the facts as they are. First of all, the Government of India say that they are going to increase the demand for our cloth in the export market. Are they sure that this increased demand in the export market is going to fructify? No. Even Mr. Krishnamachari has made it clear

that there is a lot of competition and it may not materialize. Therefore, when it does not materialise, what is going to happen to that cloth which is now sought to be produced exclusively for export markets? That cloth is going to compete with the cloth that is produced to meet our internal requirements in the country. 4-50 p.m.

First of all, the assumption that there is going to be increased demand in the export market is wrong. However much we might desire that our export of cloth must increase in order that we might earn more of foreign exchange to finance our industrial programme, it must be understood that this question of increasing our export after all is not something in our hands, that it is not decided by our wish or by our desire but it is dependent upon competitive markets in the outside world. To-day, Britain and Japan are our primary competitors in the South Eastern markets on which we depend very much for the export of cloth produced by us. In the African markets also we face bitter competition. In view of these factors, to come to the conclusion that there will be a definite demand for increased export at the end of the Second Five-Year Plan and to base our policy on that assumption which cannot be easily substantiated and for which there is no definite proof, I think is quite a wrong way of deciding the policy.

Secondly the Government of India have stated that the capacity of the installed loomage in our mill industry is of the order of 5,000 million yards. It is no doubt true that the total production in the year 1955 has been of the order of 5,000 million yards in the mill sector. But the question is, whether it is their capacity or whether the mills were working 'under capacity'? It has been pointed out to the Government of India that on the basis of 214,000 looms that have already been installed in the mills in our country to-day and on the basis of 50 yards of cloth per loom in about 8 hours and also on the basis that the mills work two shifts every day, something like 6,000 million yards of cloth could be produced. Mr. T. T. Krishnamachari very strongly contested this point. But what has actually happened to-day? The Government of India have licensed for 14,600 additional automatic looms and these looms have not still been imported into our country. Only orders have been placed for them. With the same number of installed looms continuing in operation, hon. Members will find from the Government of India's announcement in the papers three or four days ago that the production of cotton yarn and cotton cloth had reached an all-time record during the month of July of 145 million pounds of yarn and 478 million yards of cloth. Mr. T. T. Krishnamachari, just about a month ago, stated that our looms were not capable of producing more than 5,000 million yards of cloth. Within one month of the announcement of the policy of the Government of India, within one month of the grant of licences for additional 14,600 automatic looms, the mills with the already installed looms continuing in operation have been able to produce 478 million yards of cloth and on this basis it can be inferred that

our mills are capable of producing 5,736 yards of cloth, i.e., 478 million yards multiplied by 12. Therefore the existing capacity of the installed looms in our mills is not 5,000 million yards on the basis of which the entire textile policy of the Government of India is formulated. But it is very nearly 6,000 million yards. Therefore, the second assumption on which this edifice of the textile policy is built up also collapses.

Now, we are going to install according to the policy laid down by the Government of India, 14,600 automatic looms. Are we not going to produce more cloth as a result of this additional installation? Certainly we are going to produce more cloth. If we go and ask any textile worker in any textile mill, he will say that on a single loom he is capable of producing between 50 and 55 yards of cloth. An automatic loom is capable of producing a little more than an ordinary loom because of the effect of certain operations. Therefore the capacity of the automatic loom is a little more than an ordinary loom—15 to 20 per cent more. Mr. T. T. Krishnamachari's policy is not based on the productive capacity of the existing looms together with the possible increase in production as a result of the installation of 14,600 automatic looms. If reality is to be taken into account, if the actual productive capacity is taken into account, we will find that on the basis of two shifts, 50 crores of yards of cloth will be produced. We cannot also shut out third shifts. Mr. T. T. Krishnamachari states that the installation of additional looms would not mean additional production of cloth. On what basis he makes that statement, I do not know. To-day, Sir, we are making proposals for having three shifts in Madurai and the Hon. Minister Mr. Bhaktavatsalam knows about it. The management of the mills in Madurai are trying to make out proposals with regard to what is called 'deployment of labour force'. They are proposing to solve the problem of unemployment by introducing a third shift. Mill-owners are agreeable to have three shifts because they will be able to get additional profits. In Coimbatore, there are certain mills which work three shifts. In Bombay and in Ahmedabad, 50 per cent of the mills work three shifts. In Cawnpore, mill-owners are coming up with proposals for working three shifts. But Mr. T. T. Krishnamachari says that by working three shifts there will not be additional production. It cannot be denied that by working three shifts we will get additional production. If a third shift is run—inevitably the Government of India will have to agree to run three shifts to solve the problem of unemployment—the production of cloth will increase and it will be between 50 and 70 crores of yards of cloth. The entire additional demand, the entire additional production that is supposed to be required—nobody is certain about the additional demand and about how much the people are going to require in the future—is going to be satisfied by the mills themselves.

18th August 1956] [Sri P. Ramamurthi]

Over and above that, they are going to license 35,000 powerlooms. What are these powerlooms? I would like to point out to the Members of the House that they are the same looms as are installed in the mill. The only difference is that in a mill, all the processes of sizing, warping and woofing, etc., are done inside the mill, whereas so far as the powerlooms are concerned these processes are done either by the handloom worker or in a mill for which service charges are paid. What we call the beam is brought and it is put on the loom and worked. (At this stage the Speaker sounded the gong.)

MR. SPEAKER : The House will now adjourn *sine die*.

The House then adjourned *sine die*.

தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
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